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BY ECF

Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Lawyers' Committee, et al. v. William Barr, et al.*, 19 Civ. 8312 (PGG)

Dear Judge Gardephe:

We write on behalf of Plaintiffs Lawyers' Committee For 9/11 Inquiry, Inc. ("Lawyers' Committee") and Richard Gage ("Gage"), with the consent of the Defendants, to submit this Stipulation to modify the briefing schedule on Defendants' Motion to Dismiss. In support of this Stipulation to modify the briefing schedule, the Plaintiffs state as follows.

1. On February 14, 2020, this Court issued an Order establishing a briefing schedule on Defendants' Motion to Dismiss. In that Order, the Court set February 28, 2020 as the date by which Defendants should file their Motion to Dismiss. Defendants did file their Motion to Dismiss on the designated date. The Court set March 6, 2020 as the date by which Plaintiffs should file their Response to Defendants' Motion to Dismiss. The Court set March 20, 2020 as the date by which Defendants should file their Reply. The instant Stipulation would change the latter two deadlines.

2. The instant Stipulation would change two deadlines established by the Court as follows:

a. The parties have stipulated to change the date by which Plaintiffs should file their Response to Defendants' Motion to Dismiss to March 23, 2020.

b. The parties have stipulated to change the date by which Defendants should file their Reply to April 6, 2020.

3. There have been no previous requests for extensions of time for this briefing schedule, or otherwise, in this matter.

4. The reason for the current request is that Plaintiffs have decided to file an amendment as a matter of course to their Complaint pursuant to Fed. R. Civ. P. 15(a)(1)(B). This

amendment is due to be filed pursuant to Fed. R. Civ. P. 15(a)(1)(B) within 21 days of the service of Defendants' Motion to Dismiss. Defendants' Motion to Dismiss was served on February 28, 2020, making Plaintiffs' amendment as of right to the Complaint due to be filed within 21 days thereafter, or by March 20, 2020 (the current deadline for Defendants' reply). Once Plaintiffs file their amendment as a matter of course to their Complaint, that First Amended Complaint will supersede the original Complaint and Defendants' Motion to Dismiss the original Complaint will be moot. In order to avoid unnecessary briefing on Defendants' Motion to Dismiss the original Complaint which will soon be moot, the parties have stipulated to the above specified modified deadlines. Those deadlines, of course, will also be mooted, upon the filing of Plaintiffs' First Amended Complaint, as they relate to the Defendants' original Motion to Dismiss the original Complaint. Defendants reserve their option to file a new Motion to Dismiss after the filing of the First Amended Complaint, and once such a Motion to Dismiss is filed, a new briefing schedule would be required.

5. The Defendants, by counsel, consent to the modifications of the briefing deadlines noted herein and all parties have, by counsel, stipulated to these briefing deadlines modifications.

Conclusion and Relief Requested

For the foregoing reasons, the parties hereby submit this Stipulation to amend the briefing schedule on Defendants' Motion to Dismiss to make Plaintiffs' Response to Defendants' Motion to Dismiss due to be filed on or before March 23, 2020, to allow for the filing of Plaintiffs' amendment to their Complaint as a matter of course within the time provided by Rule 15, and to make Defendants' Reply due to be filed on or before April 6, 2020.

Sincerely,

/s/Mick G. Harrison

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